

EXHIBIT 1



January 22, 2007

Brian Rekofke, Esq.
Witherspoon, Kelley, Davenport & Toole
1100 U.S. Bank Building
422 West Riverside Avenue
Spokane, WA 99201

RE: Thomas Waite v. Church of Jesus Christ of Latter-Day Saints
DOL: August 21, 2003
MRA No.: 8625

PRELIMINARY INVESTIGATIVE REPORT

BACKGROUND

The subject of this investigation is a motor vehicle accident that occurred on August 21, 2003 at the intersection of 8th Avenue and Adams Road in Spokane, Washington. The involved parties included Mr. Steven Brodhead, who was driving a 1988 Honda Accord, and Mr. Donald Fossum, who was driving a 2003 Dodge Dakota pickup truck. Sheila Brown, Rochelle Hamilton, and Rebecca Hamilton were riding as passengers in Mr. Brodhead's vehicle. James Ross, Dillon Hansen, and Cesar Porras were riding as passengers in the cab of Mr. Fossum's truck. Mark Ryan and Thomas Waite were riding in the bed of the truck underneath a canopy shell. Mr. Fossum was traveling northbound on Adams Road and had stopped at a four-way stop sign at the intersection of Adams Road and 8th Avenue. Mr. Fossum reportedly saw no oncoming vehicles and moved forward into the intersection. Mr. Brodhead, who was traveling eastbound on 8th Avenue, entered the intersection without stopping and the front of his Honda struck the driver's side of Mr. Fossum's truck. In response to the collision, Mr. Fossum's truck was spun in a counterclockwise direction and the canopy shell was thrown off to the east. Mr. Ryan and Mr. Waite, who were riding in the bed of the pickup truck underneath the canopy shell, were thrown from the truck into the roadway.

PURPOSE

The purpose of this investigation was to reconstruct the subject accident in order to estimate the speeds of the respective vehicles and to determine the contributing factors to the subject accident.

SOURCES OF INFORMATION

- Police Traffic Collision Report.
- Spokane County Sheriff's Office "Additional Report" and diagram of the accident scene with point of impact and rest positions for the involved vehicles.
- MRA inspection, measurements and color photographs of the involved vehicles.
- MRA color photographs and diagram of the accident scene with measurements.
- Color photographs of the accident scene and both vehicles obtained by Frontier Adjusters.
- Traffic Accident or Vehicle Damage Report from the Church of Jesus Christ of Latter-Day Saints.
- Claim file notes and medical information.
- Personal communication with the investigating officer, Detective Ron Miya and with Mr. Lenwood Bendele, a witness to the subject accident.
- Specification and measurement information for the involved vehicles.
- Plaintiff's Identification of Expert Witnesses and Disclosure of Experts' Preliminary Reports.
- Report of Scott Kimbrough, from MRA Forensic Sciences.
- Deposition Transcript of Donald Fossum.
- Deposition Transcript of Steven Brodhead.

INFORMATION ASSESSMENT

The Spokane County Sheriff's Office Additional Report indicated that the subject accident occurred at approximately 2:10 pm on August 21, 2003 at the intersection of 8th Avenue and Adams Road in Spokane, Washington. The weather conditions were described as being sunny and warm. Detective Miya concluded from his investigation that Mr. Brodhead was eastbound on 8th Avenue and failed to stop at the four-way stop sign at the intersection with Adams Road. It was indicated that Mr. Fossum had stopped at the stop sign at 8th Avenue, saw no other traffic and proceeded northbound into the intersection, where the left side of his truck was struck by the front of Mr. Brodhead's Honda.

Detective Miya measured 260 feet of pre-impact skid marks for the left tire(s) and 207 feet of pre-impact skid marks for the right tire(s) of Mr. Brodhead's vehicle. It was noted that there were flat spots on the Honda's two front tires, but not on the rear tires, and Detective Miya concluded that the rear tires were not completely locked as the vehicle skidded forward. He indicated that there were no pre-impact skid marks for Mr. Fossum's truck but he was able to identify some post-impact skid marks related to the truck's rear wheels as they slid sideways and a pivot mark for the left front tire. Detective Miya performed six skid tests and collected friction coefficient data using a VC2000 and averaged his results at a value of 0.773.

Detective Miya interviewed Donald Fossum, Steven Brodhead, and all passengers for both vehicles with the exception of Thomas Waite. He also interviewed or compiled written statements from several witnesses including Lenwood Bendele, Brian Catron, Greg Romey, Bruce Gunn, Timothy Warner, Frank Goldy, Janis Klise, Nereida Nieves, Carlos Menendez, Jennifer Castor, and Stephanie Siegel. In summary, it was indicated by occupants in the Fossum vehicle as well as by independent witnesses, that Mr. Fossum stopped completely at the stop sign before proceeding into the intersection. It was also reported that Mr. Brodhead

was traveling at a high rate of speed and did not stop at the stop sign, but collided with Mr. Fossum's vehicle in the intersection. Mr. Brodhead admitted to going at least 70 mph and occupants within his vehicle stated that they believed he was traveling somewhere between 60 to 80 mph prior to braking. It appeared that Mr. Brodhead was initially unaware of the stop sign at the intersection and applied the brakes after being warned by his passengers.

In his deposition, Mr. Fossum reported that he had stopped for the stop sign, looked to the left and then to the right. He thought he saw a car approaching from the right but it was some distance from the stop sign so he proceeded forward into the intersection. He looked to the right as he began moving forward to check the status of this car and then he looked to the right again when he heard Mr. Ross say, "Oh, crap," and he saw Mr. Ross pressed up against the passenger side door, looking out Mr. Fossum's window. When Mr. Fossum looked to the left again, he saw Mr. Brodhead's vehicle for the first time amidst some smoke (presumably from the Honda's panic braking maneuver) heading toward him and then the impact occurred. Mr. Fossum reported that he heard what he described as a high-pitched squeal after he had proceeded forward from the stop sign but before the collision.

Mr. Brodhead stated in his deposition that he was jealous because a guy was installing a stereo in his girlfriend's car and he was upset due to almost being involved in another collision at the intersection with Evergreen. As a result, Mr. Brodhead floored the gas pedal and his vehicle accelerated up to a speed of at least 70 mph. He reported that he started to slow down by taking his foot off the accelerator when he was about halfway down the road but he did not put his foot on the brakes. Mr. Brodhead was unfamiliar with the intersection where the subject accident occurred to the extent that he did not initially know that there was a stop sign there and he stated that the stop sign was covered by an Evergreen tree. When he became aware that a stop sign was at this intersection, he slammed on his brakes. He also recalled seeing Mr. Fossum's truck but he did not remember if it was stopped or moving when he first saw it. He also did not remember hearing one of the girls that was in his vehicle yell that there was a stop sign. Mr. Brodhead stated that as far as he was aware, there was not a problem with his brakes before the subject collision occurred.

OPINION SUMMARY & PRELIMINARY OPINIONS

A personal inspection of the Honda found moderate frontal damage that involved the entire width of the front bumper, grille, hood, and both front fenders. It was apparent that the front bumper had been displaced rearward, the hood was buckled upward and there was likely damage to other structures located within the engine compartment. There were markings on the Honda's hood that matched up well with the Dodge's left rear wheel well. Crush measurements were obtained from the Honda.

Based upon the crush measurements from the Honda, it was calculated that the Honda likely experienced a change in velocity of approximately 15 to 17 mph. Based upon the weights of the involved vehicles and with further calculations, it was estimated that the Honda was traveling at a speed of approximately 30 to 34 mph at the time of the subject impact. Based upon the length of skid marks, conservative calculations determined that Mr. Brodhead was probably traveling at least 64 to 70 mph, if not faster, at the time that the skid marks began on the roadway. This is consistent with the statements of Mr. Brodhead and his passengers regarding his speed prior to braking.

Based upon the estimated final rest positions of the vehicles as provided in the police diagram, it was estimated that Mr. Fossum was probably traveling approximately 15 mph or less at the time of the subject accident. This is consistent with his vehicle being stopped behind the stop line prior to moving forward into the intersection.

The subject accident scene was inspected, photographed and measured. It was found that there was a significant visual obstruction caused by a large pine tree that was located on the south side of 8th Avenue near the southwest corner of the intersection of 8th Avenue and approximately 63 feet to the west of Adams Road. It is likely that this tree obstructed Mr. Fossum and Mr. Brodhead from seeing one another. The tree also limited the available sight distance that Mr. Brodhead would have had of the stop sign at the intersection where the subject accident occurred.

A preliminary time-distance analysis was performed to determine when the vehicles would have been visible to one another. It was found that just prior to the time that Mr. Fossum began moving forward, he would not have been able to see Mr. Brodhead's approaching vehicle by looking towards the left, if he was initially stopped at or behind the stop line. Due to the visual obstruction caused by the large pine tree on the southwest corner of the intersection, it was unlikely that Mr. Fossum and Mr. Brodhead were able to see one another up until around 2 seconds prior to the subject accident.

A report authored by Mr. John Hunter was reviewed and analyzed. It was observed that Mr. Hunter's opinions pertaining to the speed of both vehicles at impact were within the range offered by this investigator. However, many of Mr. Hunter's opinions were in direct conflict with those outlined throughout this report. In brief, Mr. Hunter's contention that Mr. Fossum was inattentive and contributed to the subject accident was considered to be inconsistent with the available evidence and facts surrounding the subject collision. Scott Kimbrough's report (also from MRA) also addresses several criticisms of Mr. Hunter's opinions, and this investigator concurs with the conclusions reached by Dr. Kimbrough.

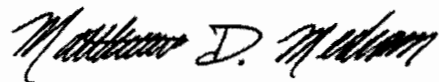
Due to the relative positions of each vehicle and the location of the seated position of the respective drivers, the nose of Mr. Fossum's Dodge would have been visible to Mr. Brodhead before Mr. Fossum would have had the first opportunity to see Mr. Brodhead. At this point in time, Mr. Brodhead was approximately 120 feet from the point of impact and Mr. Fossum was approximately 30 feet away from the position that his truck was in at the time of the collision. Mr. Brodhead would have been able to see the front of Mr. Fossum's truck by looking to the right less than 10 degrees from a normal forward facing position. However, Mr. Fossum would have had to turn his head nearly 80 degrees to the left from a normal forward facing position in order to see Mr. Brodhead's approaching vehicle, which was probably still at least partially obstructed by the large pine tree. Therefore, due to the angle and position of Mr. Brodhead's approaching Honda, when it finally became visible to a driver inside the Dodge, it would have been outside the normal visual cone for a forward facing occupant inside the Dodge.

Furthermore, Mr. Fossum indicated during his deposition that there was a vehicle approaching the intersection from the right and he continued to monitor the position of this vehicle as he proceeded forward into the intersection. This is reasonable when one considers the path of this oncoming vehicle on the right with respect to Mr. Fossum's path into the intersection. Since Mr. Fossum did not see a vehicle approaching from the left with a clear distance of approximately 120 feet, he had no reason to expect that there would have been a

vehicle traveling approximately 70 mph coming toward him on the left, especially given the presence of a stop sign for traffic proceeding in Mr. Brodhead's travel direction. Finally, based upon the foregoing analysis and using normal perception/reaction times for Mr. Fossum, it was determined that even if Mr. Fossum would have perceived the front of Mr. Brodhead's vehicle at the time that it first became fully visible to him and attempted to stop, he probably would not have been able to avoid the subject accident.

In summary, based upon my findings from reviewing and analyzing the provided materials, inspecting both vehicles and the accident scene, performing calculations, and evaluating the relative positions of each vehicle up to the point of impact, and based upon my experience, knowledge, training, and education; it is my opinion that the contributing factors to the cause of the subject accident were Mr. Brodhead's high rate of speed, the fact that he did not stop for the stop sign that controlled the intersection where the subject collision occurred and the visual obstruction caused by the large pine tree located near the southwest corner of the intersection. Finally, a time/distance and perception/reaction analysis revealed that it was improbable that Mr. Fossum would have been able to avoid the subject accident, even if he would have perceived and reacted to Mr. Brodhead at the first likely opportunity that his vehicle was fully visible. It was concluded that Mr. Fossum did not contribute to the cause of the subject accident.

The preliminary opinions expressed in this report are founded upon a reasonable degree of scientific probability and are based upon the information provided and reviewed. It is anticipated that additional information may be provided in the future and that more investigation and calculations may be performed. I reserve the right to re-examine my opinions stated above, which may be adjusted accordingly.



Matthew D. Mecham, M.S., P.E.
CMI-II, ACTAR # 1132

CURRICULUM VITAE

MATTHEW D. MECHAM, M.S., P.E.,
CMI-II, ACTAR # 1132, CXLT

EDUCATION

M.S., Bioengineering, University of Utah, Salt Lake City, Utah 1996
B.S., Mechanical Engineering, Brigham Young University, Provo, Utah 1994

PROFESSIONAL EXPERIENCE

Present Employment

9/96 - Present: **Forensic Engineer**, Motion Research Associates, Salt Lake City, Utah

Performed Biomechanical & injury causation analysis, completed automotive accident reconstruction and collision analysis, inspected vehicles, ascertained impact forces, evaluated injury claims, determined occupant dynamics, conducted crash tests with kinetic & kinematic measurements, constructed mechanical test systems for component testing, investigated workplace accidents, presented analysis and evaluation results in deposition and court settings.

Previous Employment

11/97 - 11/98: **Clinical Research Engineer**, The Orthopedic Specialty Hospital, SLC, Utah

Organized clinical research projects, performed literature reviews, organized presentations, reviewed journal articles for publication quality in peer-edited journals. Developed patient injury database programs, supervised data entry. Published research.

5/94 - 12/98: **Research Engineer**, Orthopedic Biomechanics Institute, Salt Lake City, Utah

Performed biomechanical impact tests, head/brain injury research, data acquisition experience, developed specialized test fixtures, programmed data analysis systems, calibrated equipment, conducted transducer measurements, evaluated kinematic and kinetic data, organized database systems, performed statistical analysis, evaluated prosthetic foot performance, published and presented research results.

5/94 - 11/94: **Quality Control Technician**, Atkinson Electronics, Murray, Utah

Programmed microprocessor controllers, performed quality inspections on control system panels, designed and edited AutoCAD drawings, constructed and wired control panels.

POST GRADUATE EDUCATION

Preventing Slips, Trips and Falls, Salt Lake City, UT. June 8, 2006. 6.6 hours.
Forensic Analysis of Med. Records in Inj. Biomech. & Accid. Recon., SAE, Troy, MI. May 8,9. 13 hours.
ARC-CSI Crash Conference, Las Vegas, NV June 7-10, 2005. 21 hours.
Car Crashes & Occupant Injuries: A Team Approach, AAAM, Tempe, AZ. April 19-20, 2004. 12 hours.
Certified Medical Investigator, ACFE, Phoenix AZ. October 2003.
ARC-CSI Crash Conference, Las Vegas, NV. June 9-12, 2003. 21 hours.
English XL Slip & Fall Workshop. Tampa, FL. April 25, 2002. 8 hours.
PC-Crash and PC-Rect Training Workshop. Las Vegas, NV. January 11-12, 2002. 16 hours.
Certified Crash Data Retrieval Training Program. Santa Barbara, CA. June 28-29, 2001. 16 hours.

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Accident Reconstruction TOPTEC: Special Topics. Tempe, Arizona. May 22-23, 2001. 16 hours.
Analysis of Low Speed Collisions. Texas A&M University System. Houston, Texas. May 8-12, 2000. 40 hours.
43rd Stapp Car Crash Conference. San Diego, California. October 25-27, 1999. 24 hours.
Accidental Injury: Biomechanics & Prevention. Sponsored by University of California, San Diego School of Medicine. San Diego, California. October 23-24, 1999. 16 hours.
42nd Annual Meeting for the Association for the Advancement of Automotive Medicine. Charlottesville, Virginia. October 5-7, 1998. 24 hours.
Impact Biomechanics and Current Occupant Restraint Issues. AAAM. Portsmouth, New Hampshire. October 16-17, 1997. 16 hours.
Impact Head Injury: Responses, Mechanisms, Tolerance, Treatment and Countermeasures. Mescalero, New Mexico. Sponsored by AGARD November 7-9, 1996. 24 hours
40th Stapp Car Crash Conference. Albuquerque, New Mexico. November 4-6, 1996. 24 hours.

PUBLICATIONS AND PRESENTATIONS

Publications

“Incidence and Severity of Head Impact in Freestyle Aerial Ski Jumping”, Masters Thesis, University of Utah, Department of Bioengineering, 1996.

“Incidence and Severity of Head Impact in Freestyle Aerial Ski Jumping”, Journal of Applied Biomechanics, 15(1):27-35, 1999.

“Biomechanical Analysis of a Medial Unloading Brace for Osteoarthritis in the knee”, OARS Annual Meeting, June, 1997.

“Neuropsychological Effects of Repeated Head Impacts in Freestyle Aerial Ski Jumping”, ACSM Annual Meeting, June, 1999.

“Which Ligament Fixation Device is Best?, ” Techniques in Orthopedics, Pending.

“Transosseous Ligament Fixation Devices, ” Techniques in Orthopedics, Pending.

Presentations

“Incidence and Severity of Head Impacts in Freestyle Aerial Ski Jumping, ” AOSSM Annual Meeting, Lake Buena Vista, Florida, June 15-20, 1996.

“Principles of Biomechanics, ” Crash Dynamics School, Nationwide Insurance, June 10, 1998.

“Biomechanics of Injury, ” International Association of Special Investigation Units Annual Meeting, May 7, 1998.

“Injury Biomechanics, ” Utah Healthcare Fraud Working Group Meeting, February 25, 1999.

“Trends in Biomechanics, ” International Association of Special Investigation Units Annual Meeting, July 27, 1999.

“The Automotive Black Box, ” International Association of Special Investigation Units Ann. Meeting, June 12, 2002..

Society Memberships

American Society of Testing and Materials	2004 to present
American College of Forensic Examiners	2001 to present
Society of Accident Reconstructionists	2001 to present
Association for the Advancement of Automotive Medicine	1997 to present
American Society of Biomechanics	1997 to present
Society of Automotive Engineers	1996 to present
American Society of Mechanical Engineers	1992 to present

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Cases Matthew Mecham has testified in either a deposition
or a trial since December 1, 1998

1/11/07

CASE NAME	DEPO DATE	TRIAL DATE	VENUE
Elizabeth Volz v. Dennis Brevicek & Beverly Novak		VIDEO 8/16/00	Northwest Judicial District, County of Williams, State of North Dakota
Susan Shockey v. Diane Neville & Beardsley, et al.		6/25/99	11th District Court, Flathead County, State of Montana
Brad Jones v. Christian Mark Janke		2/22/99	3rd District Court of Salt Lake County, State of Utah
Patrick J. Kelly v. Cody G. Nunley		^5/29/02	3rd District Court of Salt Lake County, State of Utah
Orlando Vargas v. Williams Fyler	10/8/99		District Court, Boston, Massachusetts
Delana Smith v. Rex Burgener		6/29/99	Fourth District Court, Utah County, State of Utah
Roger P.G. Harris v. Mary E. Armacost		4/25/00	3rd District Court of Salt Lake County, State of Utah
Sheri Buzzell Caron v. Nancy Cook		Video 5/28/99	Superior Court, State of Maine
Deborah Jenkins v. Harlen Rast	9/22/99		District Court, Clark County, State of Nevada
Bridgett Ochoa v. Stephanie Irwin Smith		7/9/99&9/8/99	Fourth District Court, Utah County, State of Utah
Dennis Estrada v. Sue Blackburn	2/12/99	3/7/01	District Court, Clark County, State of Nevada
Patricia Walsh v. Bob Hedin & B-Air, Inc.	2/11/00		District Court, County of Boulder, State of Colorado
Mary Lou Hendrickson v. Richard Lamar Jones	7/8/03		6th District Court, County of Bannock, State of Idaho
Marian Smith & James Limpers v. Douglas & Shelly Shipme		ARB 2/22/00	District Court, Clark County, State of Nevada
Matthew Anderson v. State Farm Insurance & Amy Robinson		5/18/99	American Arbitration Association
Lee Anne Anthony & Linda & Lloyd Gardley v. Archie Johnson	1/30/01		District Court, Clark County, State of Nevada
William Bagley v. Harry Adams	9/24/99		District Court, State of Montana
Lori Bryant v. Dow Industries, et al.	5/16/01		District Court, Clark County, State of Nevada
Daniel Quartermount v. Segen, Inc.	4/2/02		In the Matter fo Arbitration, State of New Mexico
Kristi Coyle v. Dennis Barton & Big Town Mechanical		11/29/99	District Court, Clark County, State of Nevada
Mary Kay Singleton v. Brian Burke		12/16/99	Small claims court, Murray City, State of Utah
Darren Woolf v. Randall Romine			7th District Court, County of Bonneville, State of Idaho
Virginia Mendoza v. Eric Saltz	2/1/02		District Court, Clark County, State of Nevada
Terry Kinder v. Farmers Insurance		ARB 3/14/00	American Arbitration Association
Debbie Waters v. John Jensen		2/7/00	Small claims court, Murray City, State of Utah
Susan K. Sato v. Cory B. Lamb	2/21/00		6th District Court, County of Bannock, State of Idaho
Mikhail & Suetiana Vaysman v. Peggy Shaner		4/6/00	District Court, Clark County, State of Nevada
Michael L. Pfeil v. Heather E. Jensen		3/1/00	3rd District Court of Salt Lake County, State of Utah
Michael & Virginia Cendoma v. Suzanne Decanay	6/30/00	Arb 10/4/00	District Court, Clark County, State of Nevada
Deborah Jessen		Arb 7/2/02	District Court, Clark County, State of Nevada
Terry Lynn Wilson v. GES Services, VIAD Corp.	10/23/00		District Court, Clark County, State of Nevada
Mandy Alger v. Kenneth Kanenwisher		3/1/02	Fourth District Court, Utah County, State of Utah
Rafael & Maria Ibarra v. Nathan Withers		11/29/01	3rd District Court of Salt Lake County, State of Utah
Katie Kulack v. Justin Pohl		7/13/01	Northeast Central District, County of Grand Forks, State of North Da
Steven Wann v. David Gist & J&S Trucking	6/27/01		United States District Court, District of Wyoming
Salvador Sepulveda v. Betty Richards	8/15/01		District Court, County of Elko, State of Nevada
Joann Tsakalos v. Brian Florence		ARB 1/14/02	Arbitration of Uninsured Motorist Claim, State of Utah
Douglas G. Lowe v. Mary Jane Ward	11/8/01		Fourth District Court, County of Missoula, State of Montana
Dennis Mattingly v. A Wild Hair Corp.		ARB 5/11/06	District Court, Clark County, State of Nevada
Deborah Wilcox v. Harian Budd	7/25/03		United States District Court, State of Wyoming
Stacey Emery v. Michelle D. Hitchcock		9/26/02	Fourth District Court, County of Missoula, State of Montana

Paul M. Gregory v. Mark Pinegar	ARB 5/28/03	Arbitration, Kevin Robson's: 1996 E. 6400 S. State of Utah
Silvia Alvarado v. Fernando Tolentino	ARB 11/19/01	District Court, Clark County, State of Nevada
Kay Jensen & Sheree Eckhardt v. Catherine Barrett	9/17/03	Sixth Judicial District, County of Campbell, State of Wyoming
Debra Watkins v. David Pack		3rd District Court of Salt Lake County, State of Utah
Judy Arciniega v. Laramie County School District		First Judicial District, County of Laramie, State of Wyoming
Jodee Bleggi v. Lisa Isaacson		Fourth District Court, Utah County, State of Utah
Michelle & Hank Stoll v. Trailerco, Inc. & Weland Express	8/29/02	United States District Court for the District of Wyoming
Dale & Nancy Coffett v. Livran Enterprises & Randy Johnson	ARB 5/21/03	Twentieth Judicial District Court, Sanders County, State of Montana
Miriam Moas v. Boulder Station		District Court, Clark County, State of Nevada
Walt Rhoades v. Darla L. Sullivan & Iron Horse One, Inc.		Fifth District Court, Washington County, State of Utah
Bernard J. Byerrum v. Summer Salazar	8/9/02	District Court, Mesa County, State of Colorado
Charles & Florence Kane v. Telluride Ski & Golf Company	1/10/03	District Court, San Miguel County, State of Colorado
Randall B. & Jana L. Hillman v. Newdale Development, Inc.,	2/6/03	Seventh District Court, County of Fremont, State of Idaho
Jeanne Hauze v. Barbara L. Webb		3rd District Court of Salt Lake County, State of Utah
Charles Wakefield v. Linda J. Griner		District Court, Clark County, State of Nevada
Darlene Durand v. Frank Nienaber & Spring Creek Landscape, Inc.	10/25/06	Thirteenth District Court, Yellowstone County, State of Montana
Kaori McGuire v. Mesias Solis	7/26/04	Third District Court, County of Uinta, State of Wyoming
Daniel Schwickerath v. Ronald Anderson & A-Z Tire		Eighth Judicial Court, County of Cascade, State of Montana
Tom & Michelle Brewington v. Shawn & Vicki Hansen	10/7/03	Seventh District Court, County of Bonneville, State of Idaho
Amy Mead v. Snapp Mart, Inc. & W&N Enterprises, Inc.		South Judicial Court, County of Grant, State of New Mexico
Martha Pacheco v. Kukurin Concrete & Nungaray-Lemus	1/22/04	District Court, Clark County, State of Nevada
Kathie Rowe v. Cassie & Henry Greenwood	7/12/06	Second District Court, County of Davis, State of Utah
Tonia Howard v. Marci C. Wisner		3rd District Court of Salt Lake County, State of Utah
Zeb Ford v. Wes Olson Trucking, Inc.		Twentieth District Court, Sanders County, State of Montana
Amy Ortega v. Deanna Sherrill; F. Failand & Denver Car Col		Jefferson County District Court, State of Colorado
Doris Koelle v. Boulder Station	5/5/06	District Court, Clark County, State of Nevada
Janelle K. Foster v. Texas Station	12/14/05	District Court, Clark County, State of Nevada
Jessie Cleverly v. Rocky Mountain Boiler, Inc.	6/21/05	Seventh District Court, County of Bonnaville, State of Idaho
Antonio Guerra v. Tracy Reed		Fourth District Court, Utah County, State of Utah
Evelyn Nielson v. Marriott Hotel	9/12/06	3rd District Court of Salt Lake County, State of Utah
Denise Mason v. John R. Guedry		District Court, Clark County, State of Nevada
Boyd R. & O. Tess Lemon v. King's Peak Credit Union	11/3/04	Eighth District Court, Duchesne County, State of Utah
Art & Violet Gonzales v. Brady George & Church of Jesus Christ of Latter-Day	6/13/06	District Court, City & County of Denver, State of Colorado
Roman Diaz-Cabrera v. Swift Company	7/27/04	Industrial Commission, State of Utah
Robert & Amber Press v. Pepsico, Inc.; O'Brien, Thomas & (ARB 10/8/04	District Court, Clark County, State of Nevada
Shellie Keller v. Progressive Halcyon Insurance, et al.	2/23/06	District Court, Clark County, State of Nevada
Jacqueline L. Palmer v. Daniel J., Anthony & Pamela Lewis	12/16/05	3rd District Court of Salt Lake County, State of Utah
Malissa Alley v. Martiniano & Lorenzo Bischocho	ARB 8/11/05	District Court, Clark County, State of Nevada
Cheryl Gomez v. Wasatch Tile & Christopher Pons	2/2/06	3rd District Court of Salt Lake County, State of Utah
Renee Wright v. Peter & Fredrick Boam		Second District, Davis County-Bountiful Dept., State of Utah
Coraley Rentas v. Katie Ermer		District Court, Clark County, State of Nevada
Bo & Brooke Denkers v. Michael Musselman	ARB 2/23/05	First District Court, Box Elder County, State of Utah
Joseph Rasmussen v. David Saley	7/27/06	Second District Court, Davis County, Farmington Dept., State of Uta
Joseph Michael Barnes v. Salvador Cornejo	ARB 8/9/05	3rd District Court of Summit County, State of Utah
Daneen A. Isenberg v. Chris Dianada and Q&D Construction	ARB 9/28/05	2nd District Court, County of Washoe, State of Nevada
Tami Larsen v. James Kimose & Weber County		Second District Court, Weber County, State of Utah
Korina Colebrook v. Jiro Yamamoto	10/26/06	3rd District Court of Salt Lake County, State of Utah
	6/6/06	

AI & Lashanna Jamerson; Almitra West v. Eric Wexler & LV Limousines	ARB 4/10/06	District Court, Clark County, State of Nevada
Nancy Hamilton Christensen v. Providence Washington Ins.	ARB 9/2/05	Arbitration, State of Utah
Michael Smith & Brandon Forsyth v. Daniel Hornack	5/24/06	Justice Court, County of Gallatin, Bozeman, State of Montana
Linda Wilson Corbett v. Cameron G. Bird	5/4/06	Ninth District Court, Fremont County, State of Wyoming
Mae Owen v. Jessie Sosa	ARB 12/7/05	Arbitration, State of Utah
Renee M. Neuharth v. Karen L. Springer	6/28/06	3rd District Court of Salt Lake County, State of Utah
Ray V. Ervin v. Ronald Moore; JR Jacks, et al.	8/30/06	District Court, Clark County, State of Nevada
Garner, Estate of Waynette; McGowan, M.; Chacon; et al. v.	11/17/06	First District Court, County of Santa Fe, State of New Mexico
	12/13/06	



FEE SCHEDULE and POLICIES

As of January 1, 2007

	<u>Non-testifying activities</u>	<u>Depositions & other testimonies</u>
E. Paul France, Ph.D., B.C.F.E.	\$200.00 per hour	\$250.00 per hour
Scott Kimbrough, Ph.D., P.E.	\$185.00 per hour	\$250.00 per hour
Matthew D. Mecham, M.S., P.E.	\$175.00 per hour	\$250.00 per hour
Larry Smiltneek, M.S., P.E.	\$150.00 per hour	\$200.00 per hour
Jamie Maddux	\$140.00 per hour	\$180.00 per hour
John A. Droge, M.S.	\$120.00 per hour	\$160.00 per hour

The non-testifying rate is for the following services: case work up, testing, reconstruction, analysis, meetings and travel time.

Case Set-up Fee: Applies to cases that are sent without materials necessary to accomplish assignment. \$250.00. NON-REFUNDABLE six months after date received. If work begins prior to the six month date, the fee will be applied to work accomplished.

Retainer: NON-REFUNDABLE. We do not consider ourselves retained until the payment is received. Retainers are required of new clients with no payment history or existing clients with poor payment histories.

Automobile Fees: Mileage will be charged for any travel in reference to the case at **.60 cents per mile.**

Travel Fees (if applicable): Airfare, Hotel, Meals & Mileage, etc.

Cancellation Policy: [scheduling/reserving a date for TRIAL or DEPOSITION Testimony]

Extended Travel: Cancellations less than **6 Days** before scheduled travel date **\$250.00 plus** incurred hours & expenses.

Local: Cancellations less than **6 Days** before scheduled trial or depo date **\$125.00 plus** incurred hours & expenses.

A **service charge of 1½% per month** is charged on the unpaid balance of **all** accounts that are **30 days** or older. Statements are sent on a monthly basis.

We would like to avoid any unnecessary costs, as would you, so if there are any changes in the status of the TRIAL, ARBITRATION or DEPOSITION, please notify us as soon as possible. If you have any questions, regarding this letter, please call.

TAX ID #: 87-0431453, for corporate name: Motion Research Associates, Inc.