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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,

**PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY
JUDGMENT RE: AFFIRMATIVE
DEFENSES**

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 Plaintiff, by and through his undersigned attorneys, hereby moves the Court for
21 an order granting his Motion for Partial Summary Judgment Re: Affirmative
22 Defenses. This Motion is made pursuant to Fed.R.Civ.P. 56 and LR 56.1 and is
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EYMANN ALLISON HUNTER JONES P.S.

27 PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT RE: AFFIRMATIVE
28 DEFENSES - 1

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(motion for psj re affirmative defenses.wpd)

1 based upon the records and files herein as well as the Memorandum of Authorities and
2 Declaration of Stephen L. Nordstrom filed herewith.

3 DATED this 30th day of January, 2007.

4 EYMANN ALLISON HUNTER JONES, P.S.

5
6 BY s/ Richard C. Eymann
7 RICHARD C. EYMANN, WSBA #7470
8 Co-counsel for Plaintiff

9 NORDSTROM & NEES, P.S.

10 BY Telephonically approved 1/30/07
11 STEPHEN L. NORDSTROM, WSBA #11267
12 Co-counsel for Plaintiff

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26 **EYMANN ALLISON HUNTER JONES P.S.**

CERTIFICATE OF SERVICE

I, RICHARD C. EYMANN, hereby certify that on the 30th day of January, 2007, 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 HUNTER JONES P.S.

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